

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

In re:	)	
	)	Chapter 7
NIXON FORK MINING, INC., et al.,	)	
	)	Bankr. Case No. 99-2379 (JKF)
Debtors.	)	
_____	)	
	)	
MESPELT & ALMASY MINING CO.	)	
et al.,	)	
	)	
Appellants,	)	Civil Action No. 04-1524 GMS
	)	
v.	)	
	)	
JEFFREY L. BURTCH, TRUSTEE,	)	
	)	
Appellee.	)	
_____	)	

**STIPULATION TO EXTEND BRIEFING SCHEDULE**

COMES NOW Mespelt & Almasy Mining Co., and Theodore Almasy, Appellants and Geoffrey L. Burtch, Trustee, Appellee, parties in the above-captioned proceeding, and hereby file this stipulation for the entry of an order allowing the extension of the Briefing Schedule. In support of this Stipulation, the parties respectfully state as follows;

1. Under the Scheduling Order entered May 16, 2005, Appellants' Opening Brief was scheduled to be served on or before May 31, 2005.

2. Appellees' Answering Brief is scheduled to be served on or before June 15, 2005.

3. Appellants' Reply Brief is scheduled to be served on or before June 25, 2005.

Due to scheduling conflicts (including one of counsel for the Appellee during the second

half of June and during the first week of July), the parties have agreed to the following extensions and request Court approval of the same:

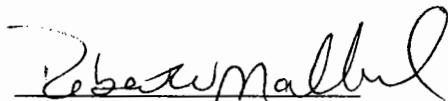
1. Appellants Opening Brief shall be due on or before June 20, 2005;
2. Appellees' Answering Brief shall be due no later than July 21, 2005; and
3. Appellants' Reply Brief shall be due on or before August 5, 2005.

The Appellee agrees to the Appellant's extensions contingent upon the Appellee receiving its extensions as set forth herein.

WHEREFORE, Appellants and Appellee hereby jointly request that this Honorable Court grant the relief requested herein and enter the proposed order extending the Briefing dates in this matter.

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Attorneys for Jeffrey L. Burtch,  
Trustee

Attorneys for Mespelt & Almasy  
Mining Co., and Theodore Almasy

SO ORDERED

this \_\_\_\_\_ day of May, 2005

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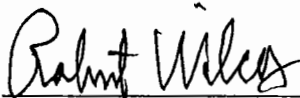
Judge Gregory M. Sleet  
United States District Judge

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that on May 24, 2004 I caused true copies of the foregoing document to be served on the parties listed below in the manner indicated.

**VIA HAND DELIVERY**

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Robert Wilcox (#4321)